

**CENTRAL ADMINISTRATIVE TRIBUNAL
CHANDIGARH BENCH**

M. A. No.60/511/2017
O.A. No.60/350/2017
M.A. No.60/510/2017
M.A. No.60/1053/2017

...
Date of decision: 13.12.2017

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CORAM: HON'BLE MR. SANJEEV KAUSHIK, MEMBER (J).
HON'BLE MRS. P. GOPINATH, MEMBER (A).

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1. Tilak Raj, age 54 years, son of Late Sh. Thiau Ram working as Assistant Lineman, O/o Additional Superintending Engineer, Electricity Operation, Division No.2, Industrial Area, Phase-I, Chandigarh, resident of # 2659/1, Sector-38-C, Chandigarh.
2. Surinder Singh, age 44 years, son of Late Sh. Pritam Singh, Working as Trademate, O/o Additional Superintending Engineer, Electricity Operation, Division No.2, Industrial Area, Phase-I, Chandigarh, resident of #66, Guru Gobind Singh Nagar, Dakholi, Zirakpur, District Mohali.
3. Avtar Singh, age 46 years, son of Late Sh. Chet Ram, working as Trademate, O/o SDO Electricity Operation Sub Division No.3, Sector-19, Chandigarh, Resident of Village Kansal, Near Govt. School, SAS Nagar, District Mohali.
4. Gurpreet Singh, age 41 years, son of Sh. Gian Singh, working as Plumber, O/o SDO Electricity Stores, Sub Division, Sector-28, Chandigarh, resident of #85, Ward No.7, V&PO Bhabat, NAC Zirakpur, District Mohali.
5. Suresh Kumar, age 56 years, son of Late Sh. Jagannath Sharma, working as Bill Distributor, O/o SDO Electricity Operation, Sub Division No.5, Industrial Area, Phase-I, Chandigarh, resident of # 173, Harmilap Nagar, Baltana, Zirakpur, District Mohali.

... APPLICANTS

VERSUS

1. Union Territory, Chandigarh Administration, through its Secretary, Department of Finance, U.T. Civil Secretariat, Sector-9, Chandigarh.
2. Chief Engineer, Union Territory, Chandigarh Administration, Engineering Department, U.T. Civil Secretariat, Sector-9, Chandigarh.
3. Additional Superintending Engineer, Electricity Operation Division No.2, Industrial Area, Phase-I, Chandigarh.
4. Executive Engineer, Electricity Operation Division No.3, Sector-17, Chandigarh.

... RESPONDENTS

PRESENT: Sh. Barjesh Mittal, counsel for the applicants.
Sh. Rajesh Punj, counsel for the respondents.

ORDER (Oral)

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SANJEEV KAUSHIK, MEMBER (J):-

1. M.A. No.60/510/2017 has been filed under Rule 4(5)(a) of the C.A.T. (Procedure), Rules, 1987, seeking permission to allow the applicants to file joint petition. For the reasons stated therein, the same is allowed.
2. With the consent of parties, the matter is taken up for final hearing at this stage.
3. Learned counsel for the parties are in agreement that this O.A. can be disposed of in terms of decision dated 06.12.2017 in the case of **Ramesh Chander Singh Negi & Ors. vs. Engineering Department, U.T. Chandigarh & Ors.**, wherein an identical order was under challenge based upon the judicial pronouncement in the case of **Harbans Lal vs. State of Punjab** (2012(3) SCT 362), which was quashed and set aside by this Court. Therefore, they submitted that let impugned order herein may be quashed and matter may be remitted back to the respondents to decide the same in the light of ratio laid down by Lordships in the case of Harbans Lal (supra).
4. Ordered accordingly. Let the above exercise be carried out within a period of two months from the date of receipt of a certified copy of this order.
5. Accordingly, the O.A. is disposed of in limine. MAs also stand disposed of.

(P. GOPINATH)
MEMBER (A)

(SANJEEV KAUSHIK)
MEMBER (J)

Date: 13.12.2017.
Place: Chandigarh.

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